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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,563	07/17/2003	Attaullah Mirza-Baig	229627US28	6094
22850	7590	09/18/2007		
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER BIBBEE, JARED M	
			ART UNIT 2161	PAPER NUMBER
			NOTIFICATION DATE 09/18/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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## Office Action Summary

Application No.

10/620,563

Applicant(s)

MIRZA-BAIG, ATTAULLAH

Examiner

Jared M. Bibbee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Amendment***

1. This Office Action has been issued in response to amendment filed on 25 May 2007.

Claims 1-27 are pending. Applicants' arguments have been carefully and respectfully considered in light of the instant amendment and are not persuasive, as they relate to the claim rejections under 35 U.S.C. 103 as will be discussed below. Accordingly, this action has been made NON-FINAL.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 10-12, 14, 15, 19-21, 23, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pulsipher (U.S. 2002/0124079 A1) in view of Hara et al (U.S. 2002/0059410 A1).

With respect to independent claim 1, Pulsipher clearly teaches a plug-in (300, Fig. 3) for use with a standard network management software (140, Fig. 3) that discovers all devices on a network and that stores information about the discovered devices in a database (*see paragraph [0028]; Note that the device discovery module (300) serves the same purpose as Applicant's claimed plugin.*), comprising:

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- a first computer control configured to access the database through the standard network management software, and independent of control from the remote monitoring center, and to identify network devices from the database (*see paragraphs [0029] and [0031]*);
- a second computer control configured to determine through the standard network management software, and independent of control from the remote monitoring center, if the identified network devices belong to a selected group of network devices (*see paragraphs [0032] and [0033]; Note that the device finder module uses inference methodology to determine which devices belong to which group of network devices. For example, the device finder module first sorts the retrieved remote device information by device then by port to determine point-to-point and multiple connection devices.*);
- a third computer control configured to poll through the standard network management software, and independent of control from the remote monitoring center, the selected group of network devices for information (*see paragraph [0029]*); and
- a fourth computer code configured to report through the standard network management software, and independent of control from the remote monitoring center, results of the polling (*see paragraphs [0031] and Figure 3; Note that the display module (330) reports the discovered network devices by displaying them.*).

Pulispher does not appear to explicitly disclose the network being connected to a remote monitoring center and the results of the polling being reported to the remote monitoring center.

However, Hara discloses the network being connected to a remote monitoring center (*see paragraph [0043]; Note that the Local management system adequately serves as the remote monitoring center since its separately connected to the network and is the center for all network*

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*device management.) and the results of the polling being presented to the remote monitoring center (see paragraphs [0049] and [0050]; Note that an event list, containing the contents of the trouble, device and occurrence-time is displayed by the event monitor (110a). The event list is the results in that the list adequately displays any devices, which have troubles within a network. In order for the event list to be displayed, the list would have to be reported to the monitoring center for display.).*

Pulsipher and Hara are analogous art because they are from the same field of endeavor “network management”.

At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Pulsipher and Hara before him or her, to modify the network interface module of Pulsipher to include the local management system of Hara for the purpose of enabling a network management administrator to readily be able to remotely view network device problems through a user interface.

The suggestion/motivation for doing so would have been to provide a remote site management system which allows a supervisor/administrator to integrally manage both versatile computers and peripheral devices at remote sites (*see paragraph [0006]*).

Therefore, it would have been obvious to combine Hara with Pulsipher to obtain the invention as specified in the instant claim(s).

With respect to dependent claim 2, note the discussion of claim 1 above, Pulsipher and Hara disclose all of the elements of claim 1 and Hara further teaches the limitation of a fifth computer control configured to utilize the information from the polled selected group of network devices to set predetermined properties for at least one of the selected group of network devices

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*(see paragraph [0059] and [0060]; Note that the application system (205) utilizes a setup value information file (401) to set device properties.)*

With respect to dependent claim 3, note the discussion of claim 1 above, Pulsipher and Hara disclose all of the elements of claim 1 and Hara further teaches the limitation of a fifth computer control configured to determine error conditions in the first set of network devices from the information from the polled first set of network devices *(see paragraph [0048])*.

With respect to independent claim 10, note the discussion of claim 1 above, claim 10 corresponds to claim 1 and is rejected for the same reasons as set forth in the rejection of claim 1.

With respect to dependent claims 11 and 12, note the discussion of claims 2 and 3 above, claims 11 and 12 correspond to claims 2 and 3 respectively and are rejected for the same reasons as set forth in the rejection of claims 2 and 3.

With respect to independent claim 19, note the discussion of claim 1 above, claim 19 corresponds to claim 1 and is rejected for the same reasons as set forth in the rejection of claim 1.

With respect to dependent claims 20 and 21, note the discussion of claims 2 and 3 above, claims 20 and 21 correspond to claims 2 and 3 respectively and are rejected for the same reasons as set forth in the rejection of claims 2 and 3.

4. Claims 4-6, 13-15, and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pulsipher in view of Hara as applied to claims 1-3, 10-12, 14, 15, 19-21, 23, and 24 above, and further in view of Baekelmans et al (U.S. 7,080,141 B1).

With respect to dependent claim 4, note the discussion of claim 3 above, the combination of Pulsipher and Hara teach the limitation of the fourth computer control configured to report at



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least one of the error conditions to the remote monitoring center but fail to report the error conditions by an e-mail message.

However, Baekelmans clearly teaches reporting the error conditions by an e-mail message (*see column 10, lines 7-11*).

Pulsipher, Hara, and Baekelmans are analogous art because they are from the same field of endeavor “network management”.

At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of the combination of Pulsipher and Hara and the teachings of Baekelmans before him or her, to modify the combination of Pulsipher and Hara to include the notification engine as taught by Baekelmans for the purpose of sending error messages via email.

The suggestion/motivation for doing so would have been to anticipate and resolve problems in network devices before a failure is encountered (*see column 2, lines 33-37*).

Therefore, it would have been obvious to combine the combination of Pulsipher and Hara with Pulsipher to obtain the invention as specified in the instant claim(s).

With respect to dependent claim 5, the combination of Pulsipher, Hara, and Baekelmans clearly teach the elements of claim 4 and Hara further teaches the limitation of the fourth computer control is further configured to report at least a first error condition substantially as the first error condition occurs, and to report at least a second error condition if the second error condition persists for a predetermined period of time (*see paragraph [0072]; Note that through a display device a service person is able to view multiple error conditions for multiple devices.*).

With respect to dependent claim 6, the combination of Pulsipher, Hara, and Baekelmans clearly teach the elements of claim 4 and Hara further teaches the limitation of the second to fifth

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computer controls are repeated for all devices within the selected group of network devices at every one of poll cycles (*see paragraph [0048]; Note that because the event adapter surveys the information sent from the device monitoring server (203a), which consists of all of the peripheral devices located on the network, that all of the steps described by Hara in the above claims corresponding to the second to fifth computer controls is executed for each device.*).

With respect to dependent claim 13, note the discussion of claim 4 above, claim 13 corresponds to claim 4 and is rejected for the same reasons as set forth in the rejection of claim 4.

With respect to dependent claims 14 and 15, note the discussion of claims 2 and 3 above, claims 14 and 15 correspond to claims 5 and 6 respectively and are rejected for the same reasons as set forth in the rejection of claims 5 and 6.

With respect to dependent claim 22, note the discussion of claim 4 above, claim 22 is a process claim corresponding to claim 4 and is rejected for the same reasons as set forth in the rejection of claim 4.

With respect to dependent claims 23 and 24, note the discussion of claims 2 and 3 above, claims 23 and 24 correspond to claims 5 and 6 respectively and are rejected for the same reasons as set forth in the rejection of claims 5 and 6.

5. Claims 9, 18, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pulsipher in view of Hara, in view of Baekelmans, and further in view of Boroughs et al (U.S. 6,834,350 B1).

With respect to dependent claim 9, note the discussion of claim 4 above, the combination of Pulsipher, Hara, and Baekelmans teach all of the elements of claim 4 but fail to explicitly recite fifth computer control is further configured to encrypt the e-mail message.



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However, Boroughs clearly teaches encrypting the e-mail message (*see column 10, lines 57-61*).

Pulsipher, Hara, Baekelmans, and Boroughs are analogous art because they are from the same field of endeavor “network management”.

At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of the combination of Pulsipher, Hara, and Baekelmans and the teachings of Boroughs before him or her, to modify the combination of Pulsipher and Hara to include the notification engine as taught by Baekelmans and further modify the notification engine as taught by Baekelmans to incorporate the encrypting of email messages as taught by Boroughs for the purpose of ensuring the security of the error messages.

The suggestion/motivation for doing so would have been to providing secure and differentiated delivery of network security information (*see column 2, lines 48-51*).

Therefore, it would have been obvious to combine the combination of Pulsipher and Hara with Baekelmans to obtain the invention as specified in the instant claim(s).

With respect to dependent claim 18, note the discussion of claim 9 above, claim 18 corresponds to claim 9 and is rejected for the same reasons as set forth in the rejection of claim 9.

With respect to dependent claim 27, note the discussion of claim 9 above, claim 27 is a process claim corresponding to claim 9 and is rejected for the same reasons as set forth in the rejection of claim 9.

6. Claims 7, 16, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pulsipher in view of Hara as applied to claims 1-3, 10-12, 14, 15, 19-21, 23, and 24 above, and further in view of Planas et al (U.S. 6,112,015).

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With respect to dependent claim 7, note the discussion of claim 1 above, the combination of Pulsipher and Hara disclose all of the elements of claim 1 but fail to explicitly disclose that the standard network management software is HP Open View.

However, Planas clearly teaches HP Open View as standard network management software (*see column 1, lines 27-41*).

Pulsipher, Hara, and Planas are analogous art because they are from the same field of endeavor “network management”.

At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of the combination of Pulsipher and Hara and the teachings of Planas before him or her, to modify the combination of Pulsipher and Hara to include the HP Open View network management software as taught by Planas.

The suggestion/motivation for doing so would have been to provide a user with a Graphical User Interface to enable the maintenance, surveillance and administration of multiple devices on a network (*see column 1, lines 14-16 and lines 27-28*).

Therefore, it would have been obvious to combine the combination of Pulsipher and Hara with Planas to obtain the invention as specified in the instant claim(s).

With respect to dependent claim 16, note the discussion of claim 7 above, claim 16 corresponds to claim 7 and is rejected for the same reasons as set forth in the rejection of claim 7.

With respect to dependent claim 25, note the discussion of claim 7 above, claim 25 is a process claim corresponding to claim 7 and is rejected for the same reasons as set forth in the rejection of claim 7.

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7. Claims 8, 17, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pulsipher in view of Hara as applied to claims 1-3, 10-12, 14, 15, 19-21, 23, and 24 above, and further in view of Stevens et al (U.S. 6,539,425 B1).

With respect to dependent claim 8, note the discussion of claim 1 above, the combination of Pulsipher and Hara disclose all of the elements of claim 1 but fail to explicitly disclose that the selected group of network devices are all the network devices on the network discovered to be manufactured by a same manufacturer.

However, Stevens clearly teaches that the first set of network devices are all the network devices on the network discovered to be manufactured by a same manufacturer (*see column 6, lines 6-8*).

Pulsipher, Hara, and Stevens are analogous art because they are from the same field of endeavor “network management”.

At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of the combination of Pulsipher and Hara and the teachings of Stevens before him or her, to modify the combination of Pulsipher and Hara to include the network devices with the same manufacturer as taught by Stevens.

The suggestion/motivation for doing so would have been to avoid tedious and error-prone manual adjustment of configuration changes of many different types of devices (*see column 1, lines 46-47*).

Therefore, it would have been obvious to combine the combination of Pulsipher and Hara with Stevens to obtain the invention as specified in the instant claim(s).

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With respect to dependent claim 17, note the discussion of claim 8 above, claim 17 corresponds to claim 8 and is rejected for the same reasons as set forth in the rejection of claim 8.

With respect to dependent claim 26, note the discussion of claim 8 above, claim 26 is a process claim corresponding to claim 8 and is rejected for the same reasons as set forth in the rejection of claim 8.

### ***Response to Arguments***

Applicants' arguments with respect to objections and rejections not repeated herein are moot, as the respective objections and rejections have been withdrawn in light of the instant amendments. Those arguments that still deemed relevant are now addressed below.

#### **A. Applicant Argues:**

Pulsipher in Figure 3 shows a device discovery module 300 that connects to a network interface 150. The device discovery module 300 also connects to the network manager software 140. However, with the connection to the network interface 150 the device discovery module 300 does not utilize the network management software 13 for its operations. Instead, the device discovery module 300 performs its own operations.

Pulsipher in Figure 3 shows a device discovery module 300 that connects to a network interface 150. The device discovery module 300 also connects to the network manager software 140. However, with the connection to the network interface 150 the device discovery module 300 does not utilize the network management software 13 for its operations. Instead, the device discovery module 300 performs its own operations.

#### **Response:**

With respect to Applicant's argument, the argument is not correct and Examiner is not persuaded because: Pulsipher in Figure 3 and paragraph [0028] clearly suggests/implies that the Network Management Software 140 comprises the device discovery module 300. Applicant is specifically directed to paragraph [0028] lines 1-3, which states a software architecture of a device discovery module 300 of the network management software 140. Examiner believes that Figure 3 and paragraph [0028] is merely describing the broken down portions of the Network Management Software 140.

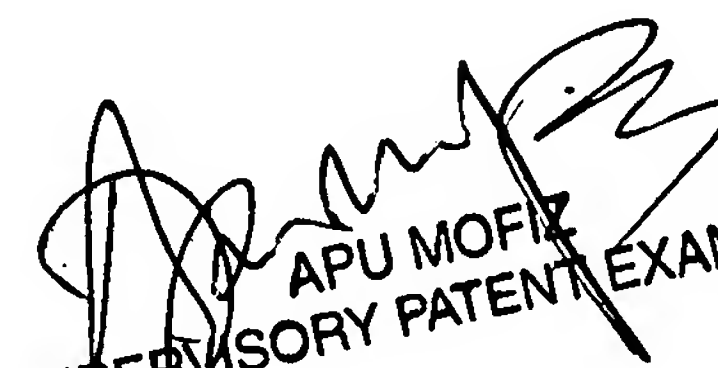
*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jared M. Bibbee whose telephone number is 571-270-1054. The examiner can normally be reached on IFP.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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